000FORM PTO-1390 REV. 2/01T U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

06843.0091

U.S. APPLICATION NO.
(If known, see 37CFR1.5)

10/531662

INTERNATIONAL APPLICATION NO. PCT/GB2003/004492	INTERNATIONAL FILING DATE October 16, 2003	PRIORITY DATE CLAIMED October 16, 2002

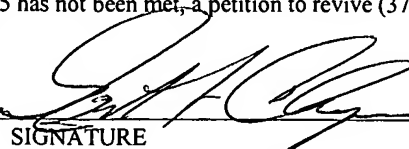TITLE OF INVENTION: **HYDROXYLASES AND MODULATORS THEREOF**

APPLICANTS FOR DO/EO/US: 1) **Peter John RATCLIFFE**, 2) **Christopher William PUGH**, 3) **Christopher Joseph SCHOFIELD**, 4) **Kirsty Sarah HEWITSON**, and 5) **Jonathan Mark ELKINS**

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
    - a. ☒ is attached hereto (required only if not communicated by the International Bureau.
    - b. ☒ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
    - a. ☐ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
    - a. ☒ Copy of cover pages of International Publication No. **WO 2004/035812 A2/A3**.
    - b. ☐ Copy of Notification of Missing Requirements.
    - c. ☒ Statement Under 37 CFR § 1.821.
    - d. ☒ Written Sequence Listing (11 pages).

U.S. APPLICATION NO. (If known, see 37CFR 1.5) **10/531662**	INTERNATIONAL APPLICATION NO. PCT/GB2003/004492	ATTORNEY'S DOCKET NUMBER 06843.0091	

21. ☒ The following fees are submitted:		Applicant Use	Office Use Only
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): $300.00		$300.00	
National Stage Search Fee..$500.00		$500.00	
National Stage Examination Fee...$200.00		$200.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =		$1000.00	

☒ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is **$250** for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded **up** to a whole number	Rate		
288 - 100 =188	188/50=4	4	x 250.00	$1000.00	

Surcharge of $130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).	☐ 20 ☐ 30	$	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	31	- 20 =	11	x $50.00	$550.00	
Independent Claims	2	-3 =	0	x $200.00	$	
MULTIPLE DEPENDENT CLAIM (if applicable)			+$360.00	$	

TOTAL OF THE ABOVE CALCULATIONS =	$2550.00	
☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.	$	
SUBTOTAL =	$2550.00	

Processing fee of **$130.00** for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)).	☐ 20 ☐ 30	$	

TOTAL NATIONAL FEE =	$ 2550.00	

Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property. +	$	

TOTAL FEES ENCLOSED =	$ 2550.00	
	Amount to be refunded:	$
	charged:	$

a. ☒ A check in the amount of $ __2550.00__ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. __06-0916.__ A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.
901 New York Avenue, NW
Washington, D.C. 20001-4413
EFC/FPD/sci
DATED: **April 15, 2005**

SIGNATURE

Ernest F. Chapman/25,961
NAME/REGISTRATION NO.